

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA
Wheeling**

MERVIN B. STURGEON, on behalf of
himself and others similarly situated,

Plaintiff,

v.

Civil Action No. 5:20-CV-192
Judge Bailey

CITY MANAGER ROBERT HERRON,
individually and in his official capacity,
THE CITY OF WHEELING, its division,
THE WHEELING POLICE DEPARTMENT,
THE WEST VIRGINIA DIVISION OF HIGHWAYS,
an agency of the West Virginia Department of
Transportation,

Defendants.

ORDER

Currently pending before this Court is Plaintiff's Motion for Leave to File a Reply [Doc. 6], filed September 14, 2020. Therein, plaintiff requests leave to file Plaintiff's Reply in Response to Defendant's Memorandum of Law in Opposition to Plaintiff's Emergency Motion for Temporary Restraining Order and Preliminary Injunction.

Because this Court has already reviewed and taken into consideration the Reply, this Court will permit the filing of the reply. The plaintiff is directed to refile the reply as an independent document. Accordingly, Plaintiff's Motion for Leave to File a Reply [Doc. 6] is **GRANTED**.

Furthermore, within fourteen (14) days of this Order, this Court **DIRECTS** the parties

to update this Court on the status of the instant case due to the fact that the encampments have been removed.

It is so ORDERED

The Clerk is directed to transmit copies of this Order to counsel of record herein.

DATED: October 13, 2020.



JOHN PRESTON BAILEY
UNITED STATES DISTRICT JUDGE